

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

TYLER SPARKS and
CYDNEY SPARKS

PLAINTIFFS

v.

Civil No. 17-6077

RIVERWOOD INVESTMENTS, LLC
d/b/a RIVERWOOD INN

DEFENDANT

O R D E R

Currently before the Court is a Motion to Intervene and supporting brief by XL Specialty Insurance Company, workers' compensation insurance carrier for Plaintiff Tyler Sparks' employer at the time of the incident which is the subject of this litigation. (ECF Nos. 31-32). Also before the Court is Plaintiffs' Response (ECF No. 33). Plaintiffs admit that XL is entitled to intervene, however, they advise they intend to seek a ruling from the Court on whether Arkansas or Louisiana law is controlling upon XL's subrogation claim.

Upon due consideration, the motion (ECF No. 31) is hereby GRANTED, and XL is directed to file its complaint in intervention within ten days. The parties shall have twenty days from the date of service of the complaint in intervention in which to file any response. The Court notes that the extent of XL's

participation in the trial of this matter and the governing subrogation law will be determined prior to trial.

IT IS SO ORDERED this 10th day of July 2019.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
Senior U.S. District Judge